

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAVID A. GRAVES,	)	4:10CV3056
	)	
Petitioner,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
NEBRASKA DEPARTMENT OF	)	
CORRECTIONS,	)	
	)	
Respondent.	)	

This matter is before the court on Petitioner's Verified Notice of Voluntary Dismissal, which the court liberally construes as a motion to voluntarily dismiss. (Filing No. [4](#).) In his Motion, Petitioner requests that the court dismiss his Petition for Writ of Habeas Corpus without prejudice because "he has not yet exhausted all state remedies, and wants to do so before refileing these matters." (*Id.* at CM/ECF p. 2.) For good cause shown, the Motion is granted.

IT IS THEREFORE ORDERED that:

1. Petitioner's Petitioner's Verified Notice of Voluntary Dismissal, construed as a motion to voluntarily dismiss (filing no. [4](#)), is granted.
2. This matter is dismissed without prejudice. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 27th day of April, 2010.

BY THE COURT:

*Richard G. Kopp*

United States District Judge